

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
1:06-cv-255-GCM**

JACK P. MOORE,

Petitioner,

vs.

SID HARKLEROAD,

Respondent.

ORDER

THIS MATTER is before the Court on Petitioner's Motion for Summary Judgment, (Doc. No. 71), filed on March 31, 2014. Plaintiff's motion will be denied as moot because this Court dismissed this action, brought pursuant to 28 U.S.C. § 2254, by order dated July 17, 2007, and the Fourth Circuit subsequently dismissed Petitioner's appeal. See (Doc. No. 19; 34).

The docket reflects that Petitioner has filed numerous, frivolous motions such as this one long after this action was dismissed. The Court hereby warns Petitioner that if he continues to file motions in this action the Court will consider imposing sanctions against Petitioner, including a pre-filing injunction and monetary sanctions to be paid out of his prisoner trust account, if necessary.

IT IS, THEREFORE, ORDERED that:

1. Petitioner's Motion for Summary Judgment, (Doc. No. 71), is **DENIED** as moot.

Signed: April 2, 2014



Graham C. Mullen
United States District Judge

